

The Big Picture

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Lorenzo Zucca Do 10 Nov 2016

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People are in pain. They are expressing this by voting for Trump or Brexit. They believe that the problem lies with the establishment, which is represented by the European Institutions or by American old faces in politics; make no mistake, the people do not know anything about European Institutions: it is just easy to take them as a target. The proof is that when British Judges stand in their way, the people want to take them down. By doing these things, they create more pain for those who fear populism. We live in a world of pain and uncertainty.

In moments such as this, despair is justified. How do we assuage the pain on one side or the other? How do we reintroduce a measure of certainty in the quicksand of world politics? The first step is to understand the source of pain. To a great extent, people's pain comes from uncertainty: are they going to have a job at the end of this year? Are they going to be able to pay their debts? Are they going to afford food for their families? This factual uncertainty is the source of great daily pain. And politics as they know it has not provided a single answer to those factual questions. The people's solution is to change the game: American voters are fed up with the usual suspects in Washington, and they see in Trump a new face in politics. British voters are fed up with faceless bureaucrats in Brussels, and they want to bring politics back to Westminster, although it is not clear whether they trust British institutions either.

I am trying to feel people's pain. I must admit that I can see reasons to take that pain seriously. There are grains of truth in their disappointment. For example, the EU cannot afford to remain the same after Brexit. This is not a battle between the EU and the UK; this is a battle for survival of the European project on one hand, and of the UK project on the other. Finally, we have a constitutional moment of epic proportions. To embrace the constitutional moment is likely to produce a new framework that failed to emerge in the past decade (with the Lisbon Treaty). It can also bring about a new constitutional pact for the UK.

Likewise, we have to feel American's people pain. We cannot be blind to the fact that Obama has failed to tackle the worries of one big part of America; the administrative machine in Washington has slowed down reforms, and political division in Congress has handcuffed presidential action; Obama failed spectacularly to have his candidate for the Supreme Court heard. People do not trust the administrative machine and the circus of politics: Hillary personified a mix of both.

In Europe, UK, and USA constitutional structures are proving unfit to respond to the challenges of the XXI century. Now is the time to ride on the constitutional moment for the EU. The fact that the UK may exit can be seen as a blessing in disguise, since the UK never embraced the European political project, and always dragged its feet to prevent more political integration. So, it may be a good thing to have the UK on the outside. But this is not enough, the EU is in need of great changes. The common currency cannot survive without coordination and political governance. European Institutions are perceived by the vast majority of people as distant and aloof. It is not enough to tinker with the institutional frame and to involve the European Parliament a little bit more on this or that initiative. We are lacking live European politics; we are lacking European parties cutting across nations and representing the interests of those who are living in Europe as European Citizens. We also need to be able to put a face to European politicians. How many people to this day know the face of Donald Tusk or that of – I forgot his name, help me here, the President of the EU Commission. Barroso, Juncker and all other commissioners are second-rate politicians. National governments want them to be so, but Europeans want Europe to be strong and to be led by first-rate politicians, who can appeal directly to the people. EU politicians who engage their responsibility before the people. Politicians who can be sent home forever, if they fail in their job. A Federal Europe is Now or Never. We have to risk everything now, because tomorrow it will be too late; there will be new Brexits, and the Euro will never become the symbol of a successful Union.

The UK faces even more challenges. Brexit seems inevitable, and at this point it would smack of political disdain for popular vote not to explore possible avenues of departing in order. Still the UK constitution is proving

incapable of producing the political legitimacy necessary to unite all the peoples in the Kingdom under a common political project outside of the EU. Remainers are up in arms and refuse to abide by the outcome of the referendum. Devolved administrations are digging their feet in: Scotland has voted to remain and does not see the point in leaving as a unit. Northern Ireland's peace settlement depends on the free movement between the North and the South. It does not help that the voices of devolved administrations are not being heard in London. On top of this, the English Constitution is showing its limitations: unwritten and in part archaic, it leaves ample room for interpretation. The burning issue of who has the power to trigger art. 50 to start the negotiations has facilitated a constitutional crisis. How is it possible that in the XXI century, a political system centered on parliamentary sovereignty gives unfettered powers to act at the international level to the executive? Clearly the Crown prerogative belongs to another era. Or perhaps parliamentary sovereignty belongs to the past. But in this world, both cannot be true. Either parliament is in command and therefore it controls the international affairs of the country; or the Crown is in control and parliament is reduced to a vetting chamber. It is clear to me that the UK is also facing a constitutional moment of epic dimensions. To remain United in the face of all these challenges, it would have to introduce a new constitutional pact that clarifies the boundary between competing institutions, it gives a political voice to devolved administrations and settles the relation between UK and Europe, and more generally the place of the UK in the world. Again, only a federal constitution could do all this: it could bring a degree of certainty that would lower the pain of leavers and remainers.

The US has a federal Constitution and that is perhaps the silver lining to a depressing show. Donald Trump will not have freedom to wreak havoc, because the constitution does not allow it. He will have to face the uphill struggle of the Washington machinery, and the intense pressure of the separation of powers. In time, his lies will come to haunt his presidency. Ultimately, the pain people feel will not be assuaged and the country will hardly be re-united. The pain of the people comes from within, but building walls will not give economic or political certainties. The truth is that America is still central in the world, but the world is becoming increasingly more anarchic. Good Old Reagan lived in a world of friends and enemies. Today's world is incredibly more complex, and America cannot afford to isolate itself. Failed states and full dictatorships are becoming more widespread, and they do not want to be pawns in an American game any longer. The political uncertainty over Russia, China, Africa, the Middle East, India, South America, Europe will shape America's role in the world, and will affect its prosperity. Trump has no choice internationally: if he wants to give a central role to America, he has to support and embolden international institutions and promote regional institutions to create stability around the world. Whether he will do it or whether he is capable to do so, is another question. But what is clear is that he will not be able to screen America from the perils of global instability. In order to make America great again, the only option is to work with the international community and to help the emergence of an international federal constitution capable of reducing uncertainty, and therefore pain for all the people.

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